



Town of Groton, Connecticut

Meeting Minutes

Town Council Committee of the Whole

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager
(860)441-6630

Mayor Harry A. Watson, Councilors Dean Antipas, Kathryn M. Brown-Tracy, Bruce S. Flax, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, and Paulann H. Sheets

Tuesday, July 28, 2009

6:00 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

1. CALL TO ORDER

Mayor Watson called the meeting to order at 6:05 p.m.

2. ROLL CALL

Members Present: Mayor Watson, Councilor Antipas, Councilor Flax, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets

Members Absent: Councilor Brown-Tracy and Councilor Kolnaski

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent and Executive Assistant Nicki Bresnayan.

3. Calendar and Communications

Councilor Sheets expressed her appreciation for support from the Town Manager's office staff in getting the appeal out to the Department of Energy.

Councilor Schmidt noted that the public hearing on the Thames Street Rehabilitation Project will be held tomorrow night at the City Municipal Building.

4. Approval of Minutes

2009-0184 Approval of Minutes (Committee of the Whole)

RESOLUTION ACCEPTING COMMITTEE OF THE WHOLE MINUTES

RESOLVED, that the minutes of the Town Council Committee of the Whole meetings of July 14, 2009 and July 21, 2009 are hereby accepted and approved.

A motion was made by Councilor Monteiro, seconded by Councilor Schmidt, to adopt.

The motion carried by the following vote:

Votes: In Favor: 5 - Mayor Watson, Councilor Flax, Councilor Monteiro, Councilor O'Beirne, Jr. and Councilor Schmidt

Abstain: 2 - Councilor Antipas and Councilor Sheets

5. NEW BUSINESS

2009-0159 Sandy Hollow Road Alterations - Leuba Property

Discussed

Town Manager Oefinger provided a brief history of the issue and the scenic road ordinance requirements. Discussion followed on the specifics of the ordinance which impact the road and road right-of-way. Mayor Watson noted that if the proper procedure had been followed, he would have recommended a smaller sized opening in the stone wall, so that would be his recommendation now. Councilor Antipas noted the discrepancy between the forester's characterization of how wide the opening was originally and the Town's evidence. He suggested the Town do a visual inventory of the two scenic roads in Town to avoid future disagreements. Councilor Sheets asked how this situation can be prevented in the future. The Town Manager suggested that the lessons learned here are that there are no penalties associated with the ordinance; the Town should have some idea how to stop activity that occurs outside of the scenic

road ordinance parameters; and there may be a need to send periodic notices to property owners about the scenic road ordinance implications.

The Town Manager suggested two items to rectify this situation. First, the opening in the wall is appropriate, but a width of 15' to 18' is probably sufficient, even for turning radius purposes. Second, the ends of the wall should be "finished" where they meet the accessway. The tracking pad that was installed for the forestry operation has been removed from the Town right-of-way and the area restored. Councilor Antipas noted that a lumber span would be more scenic than a chain to block the access. Councilor Monteiro noted that if a notice was filed in Land Records for the scenic roads, it may be a way to notify future owners so that recurring notices would not have to be sent.

Town Clerk Barbara Tarbox stated that the intersection of Sandy Hollow Road and Pequot Road is unsightly and she appreciates Councilor Antipas' suggestion.

Discussion followed on preparing a resolution outlining the restoration of the right-of-way.

Recommended for a Resolution

2009-0179

Supportive Housing Program Grant

A motion was made by Councilor Sheets, seconded by Councilor Schmidt, that this matter be **Recommended for a Resolution.**

The motion carried unanimously

2008-0282

Town Departmental Structure

Discussed

The Town Manager noted the purpose of the document, which has been developed as a result of the recent Town Charter revision. Councilor O'Beirne asked the Town Clerk what the proper vehicle is to adopt this document, which is designed to allow the Council flexibility in revising the organizational structure. She suggested that the document be adopted, but noted that further resolutions would not be necessary if revisions are adopted as part of the formal budget process. Councilor O'Beirne feels this should be a formal document that the Town Council approves all changes to. Councilor Sheets asked if the merger of Planning and Economic Development in 1993 could be revisited by the Council.

The Town Manager noted that he would seek Town Council adoption of any revisions and he added that organizational changes can be made outside of the budget process. Councilor O'Beirne requested that the FTE (Full Time Equivalent) boxes be eliminated. The Town Manager explained that the FTE reflects the same figure that appears in the budget.

A motion was made by Mayor Watson, seconded by Councilor Sheets, that this matter be **Recommended for a Resolution.**

The motion carried unanimously

2009-0123

Non-Resident Taxpayer Voting Authorization

Discussed

Town Clerk Barbara Tarbox distributed state statutes relating to this issue. Historically non-resident taxpayers have been allowed to vote at referenda. The Town Manager's office staff research shows that this practice is a rarity, with only Vernon allowing it. The Town Clerk noted that the history of non-resident taxpayers voting in the Town of Groton is inconsistent. In 1997 the law was changed so that the Council must formally approve a procedure to allow non-resident taxpayers to vote on referenda. She noted the responses that she received to her survey of other towns. Most did not know that the legislative body needs to authorize the practice. The Town Clerk noted it is a challenge to administer.

Councilor O'Beirne explained how this issue came to light during the Charter revision process.

Councilor Antipas feels that as a question of fairness, since non-resident taxpayers can not vote for their representatives, they should have some form of representation. Councilor Monteiro noted that non-resident taxpayers should be allowed to vote on money issues that affect taxes. Councilor Sheets sees no problem with the practice that has been in place for a number of years. Councilor O'Beirne supports allowing non-resident taxpayers to vote under specific criteria. The Town Clerk noted that a separate, parallel voting system is set up making the process more expensive.

The Town Manager noted that more information may come in from CCM on other towns' practices. Staff is also consulting OPM and the Secretary of State's Office.

Discussion of this item was tabled to the next Committee of the Whole meeting.

2009-0124 Ethics Ordinance

Discussed

Mayor Watson asked the Council to identify dates for special work sessions on an ethics ordinance. Councilor O'Beirne suggested a subcommittee of three Councilors to develop a draft document for discussion purposes. Councilors Antipas and Sheets volunteered and Councilor Flax indicated he would be an alternate. Mayor Watson suggested Councilor Kolnaski as the third member of the subcommittee and asked that a report be made available for review by the end of September.

2009-0011 Joint Meeting with City of Groton (2009 Standing Referral)

Discussed

2009-0012 Joint Meeting with Board of Education (2009 Standing Referral)

Discussed

2009-0013 Joint Meeting with Stonington Board of Selectmen (2009 Standing Referral)

Discussed

2009-0029 Joint Meeting with Groton Long Point Board of Directors (2009 Standing Referral)

Discussed

There are no joint meetings scheduled at this point. Councilors concurred that they would like to meet periodically with these groups. Staff was asked to make arrangements with all four groups for joint meetings.

2009-0152 Town Manager Annual Evaluation

Discussed

Mayor Watson gave a brief description of this effort to date. Town Manager Oefinger distributed his self-evaluation. Mayor Watson suggested that Councilors review the material and have evaluation forms back to the Mayor by Friday, August 7th. He noted that Councilors can make appointments with the Town Manager for one-on-one conversations if they so desire.

6. ADJOURNMENT

A motion was made by Councilor Monteiro, seconded by Councilor Flax, to adjourn the meeting at 7:28 p.m.

The motion carried unanimously.